

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

JANE DOE,

Plaintiff,

v.

Civil Action 2:21-v 858

Judge Edmund A. Sargus, Jr.

Magistrate Judge Elizabeth P. Deavers

OHIO UNIVERSITY, *et al.*,

Defendants.

ORDER

For good cause shown, Plaintiff's unopposed motion to proceed under a pseudonym and for protective order is **GRANTED**. (ECF No. 2.)¹

This Court has discretion to permit a plaintiff to proceed under a pseudonym. *Doe v. Porter*, 370 F.3d 558, 560 (6th Cir. 2004). In determining whether a party ought to be permitted to proceed under a pseudonym, courts should balance the following factors:

(1) whether the plaintiff seeking anonymity is suing to challenge governmental activity; (2) whether prosecution of the suit will compel plaintiff to disclose information of the utmost intimacy; (3) whether the litigation compels plaintiff to disclose an intention to violate the law, thereby risking criminal prosecution; and (4) whether the plaintiff is a child.

Doe v. Ronan, No. 1:09-CV-243, 2009 WL 10679478, at *1 (S.D. Ohio June 4, 2009). Plaintiff meets the first factor because she has sued a public university and certain of its employees. She also meets the second factor because prosecuting this suit will compel her to disclose information of the utmost intimacy. The third and fourth factors do not apply here.

¹ Defendants' consent to this motion is contained in the parties' Rule 26(f) report. (ECF No. 15.)

Accordingly, Plaintiff may proceed in this action with the use of the pseudonym Jane Doe in place of her true identity. Plaintiff, however, must file with the Court *ex parte* and under seal a Complaint bearing her name **WITHIN FOURTEEN DAYS**. Further, Plaintiff's counsel shall disclose Plaintiff's true identity to Defendants' attorneys. Absent a modification of this Order, Defendants' attorneys may disclose Plaintiff's identities to other Ohio University attorneys, paralegals, legal assistants, and other legal support staff in connection with their representation of Defendants but may not otherwise disclose Plaintiff's identity or identifying information. Identifying information contained within a Court filing must be redacted, and the filing party must contemporaneously file an unredacted copy *ex parte* and under seal.

IT IS SO ORDERED.

Date: April 23, 2021

/s/ Elizabeth A. Preston Deavers
ELIZABETH A. PRESTON DEAVERS
UNITED STATES MAGISTRATE JUDGE